

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

Casey Fisher

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

KBP Foods, D.B.A. Kentucky Fried Chicken
and
KBP Investments

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

**Complaint for Employment
Discrimination**

Case No. PX 20 CV 1828

(to be filled in by the Clerk's Office)

Jury Trial: ☒ Yes ☐ No
(check one)

JUN 15 2020
AT GAITHERSBURG
CLERK OF DISTRICT COURT
DISTRICT OF MARYLAND
DEPUTY

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Casey Fisher
Street Address	1703 Village Green Drive
City and County	Hyattsville, Prince George's County
State and Zip Code	Maryland, 20785
Telephone Number	(240) 350-0752
E-mail Address	lanessa.fisher@hotmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	KBP Foods, D.B.A. Kentucky Fried Chicken
Job or Title (if known)	
Street Address	65 West Dares Beach Road
City and County	Prince Frederick, Calvert County
State and Zip Code	Maryland, 20678
Telephone Number	(410) 535-2288
E-mail Address (if known)	

Defendant No. 2

Name	KBP Investments
Job or Title (if known)	
Street Address	10950 Grandview Drive, Suite 300
City and County	Overland Park, Johnson County
State and Zip Code	Kansas, 66210
Telephone Number	(913) 356-6300
E-mail Address (if known)	

Defendant No. 3

Name	
Job or Title (if known)	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address (if known)	

(If there are more than three defendants, attach an additional page providing the same information for each additional defendant.)

C. Place of Employment

The address at which I sought employment or was employed by the defendant(s) is:

Name	KBP Foods, D.B.A. Kentucky Fried Chicken
Street Address	65 West Dares Beach Road
City and County	Prince Frederick, Calvert County
State and Zip Code	Maryland, 20678
Telephone Number	(410) 535-2288

II. Basis for Jurisdiction

This action is brought for discrimination in employment pursuant to *(check all that apply)*:

- ☒ Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

- ☐ Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)

- ☐ Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

- ☐ Other federal law *(specify the federal law)*:

- ☐ Relevant state law *(specify, if known)*:

- ☐ Relevant city or county law *(specify, if known)*:

III. Statement of Claim - SEE ATTACHED

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. The discriminatory conduct of which I complain in this action includes *(check all that apply)*:

- ☐ Failure to hire me.
- ☐ Termination of my employment.
- ☐ Failure to promote me.
- ☐ Failure to accommodate my disability.
- ☐ Unequal terms and conditions of my employment.
- ☒ Retaliation.
- ☐ Other acts *(specify)*: Sexual harassment

(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)

B. It is my best recollection that the alleged discriminatory acts occurred on date(s)
September 15, 2017 - November 19, 2017

C. I believe that defendant(s) *(check one)*:

- ☐ is/are still committing these acts against me.
- ☒ is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my *(check all that apply and explain)*:

- ☒ race African-American
- ☒ color Black (Dark-Skin)
- ☒ gender/sex Female
- ☐ religion _____
- ☒ national origin African-American
- ☐ age. My year of birth is _____. *(Give your year of birth only if you are asserting a claim of age discrimination.)*
- ☐ disability or perceived disability *(specify disability)*

- E. The facts of my case are as follows. Attach additional pages if needed.

See Attached

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)

IV. Exhaustion of Federal Administrative Remedies

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on *(date)*

August 20, 2018

- B. The Equal Employment Opportunity Commission *(check one)*:

- ☐ has not issued a Notice of Right to Sue letter.
☒ issued a Notice of Right to Sue letter, which I received on *(date)*
March 19, 2020
-

(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)

- C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct *(check one)*:

- ☐ 60 days or more have elapsed.
☐ less than 60 days have elapsed.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

I would like reimbursement for my medical bills and treatment which is ongoing (approximately \$3,000 so far); lost wages of approximately \$2,500; compensatory damages for pain and suffering, lost of enjoyment of life in the amont of\$100,000.00. I believe that I am entitled to these amount under Title VII because I was unlawfully discriminated against any my employer did no take appropriate action and I suffered retaliation as a result

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

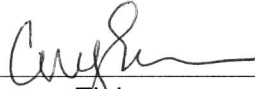
A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 6-11, 2020.

Signature of Plaintiff

Printed Name of Plaintiff


Casey Fisher

(If more than one plaintiff is named in the complaint, attach an additional certification and signature page for each additional plaintiff.)

B. For Attorneys

Date of signing: _____, 20__.

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

Telephone Number

E-mail Address

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III. STATEMENT OF CLAIM:

Plaintiff, Casey Fisher, proceeding *Pro Se*, brings this action pursuant to 42 U.S.C. § 2000e *et. seq.* (Title VII of the Civil Rights Act of 1964), as amended by the Civil Rights Act of 1991 to remedy acts of sexual discrimination perpetrated against her by company management Bryan Kneeling, Shift Leader, at Kentucky Fried Chicken (“KFC”) and the retaliation against her after she reported and complained about the harassment on October 29, 2017. KFC management officials ignored her complaint of sexual harassment and a hostile work environment and failed to take any corrective action and made further discriminatory statements about her color (Black) race (African-American), and national origin (African-American). Plaintiff further states that after she reported Mr. Kneeling he made veiled threats to her about hitting women and began stalking her to the point that she was constructively discharged resigning her position on November 19, 2017.

III. E. The facts of my case are as follows:

1. Plaintiff, Casey Fisher, is an African-American female, and began her employment with KFC as a Cashier/Team Trainer on or about August 2017.

2. On or around late September 2017, Bryan Kneeling, Shift Leader, subjected me to sexual harassment when he approached me in a sexual manner, physically rubbing my back and asking my age.

3. I was a seventeen (17) year old minor in high school at the time of the first sexual harassment incident and the harasser, Bryan Kneeling, was in his late thirties (30’s) or early forties (40’s) and twice my age.

4. Mr. Kneeling, the harasser, repeatedly approached me in a sexual manner between

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September and October 2017 making inappropriate comments suggesting that if “I am legal” “what’s the problem with us having a sexual relationship.”

5. Mr. Kneeling kept approaching me and made me increasingly made me uncomfortable and stating that he was young, flirting with me, and getting to close into my personal space.

6. I tried to diffuse the uncomfortable interaction with Mr. Kneeling by moving to different areas of the workplace where there were other coworkers so that he would not be able corner me.

7. Mr. Kneeling stalked me around the office and kept trying to convince me that he was twenty-five (25) years of age and I tried unsuccessfully to make jokes about him being as old as “My Uncle Ben” and that he was “25 in dog years” unfortunately this made him pursue me more and express his desire for “younger women.”

8. Mr. Kneeling repeatedly asked my age and I told him that it didn’t matter, I was not interested in dating or having sex with him and that he was “probably as old as my father.”

9. In October 2017, while I was on my shift, Mr. Kneeling, the harasser, followed me around the workplace playing a video of oral sex on his cellular telephone, and motioned and played with his belt and pants zipper starring at me and motioning me to perform oral sex on him.

10. On one occasion when I was attempting to drop potato wedges Mr. Kneeling invaded my personal space and started jiggling the front of his pants making sexual gestures at his penis and cornering me so that I did not have free movement.

11. Because of Mr. Kneeling’s management position, I became nervous and

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continuously afraid for myself and other younger workers who were only sixteen (16) and warned a new worker to stay away from him and not be alone with him.

12. On or about October 29, 2017, I reported Mr. Kneeling and his behavior to my shift manager, Caleb Fisher.

13. On or about October 30, 2017, Mr. Fisher reported the incidents of sexual harassment to Tom Chakley, Human Resource Representative.

14. Rather than take any corrective action, Mr. Chakley, minimized my complaint, blamed me, and made derogatory and discriminatory statements about African-Americans characterizing them as “over-sexual” and “always being in sexual relationships while at work.”

15. I was NEVER in a sexual relationship with Mr. Kneeling or any other co-worker while employed at KFC.

16. Mr. Chakley, discriminated against me because of my race, color and national origin and characterized me as an “oversexed,” “loose” “Black women” having a consensual sexual relationship with “men” who I worked with.

17. After I made my complaint of sexual harassment to management, I was retaliated against by Mr. Kneeling when he began threatening and stalking me in the workplace.

18. Mr. Kneeling retaliated against me by making veiled threats to me stating that he “hit women” and previously “worked as a bouncer.”

19. Because of the constant harassment and retaliation by Mr. Kneeling, I became fearful and began experience anxiety attacks, sleep deprivation and food disturbance; and had to seek medical attention.

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20. On November 19, 2017, I could no longer endure Mr. Kneeling's harassment and was constructively discharged.